

Notice of Allowability

Application No.

10/623,641

Examiner

Ruth C. Rodriguez

Applicant(s)

ENEVOLDSEN, PER A.

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 31 May 2005.
2. ☒ The allowed claim(s) is/are 1,2,8,10,3,4,9,11,5-7, 12-16 and 19-30 that will be renumbered 1-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ramon L. Pizarro on.

The application has been amended as follows:

Claim 1, line 16, "bead" has been changed to --ornament--.

Claim 12, line 2, --the strand has a connector assembly for detachably coupling the first end with the second end of the strand to configure the strand as a loop, the-- has been inserted between "wherein" and "ornaments".

Claim 12, line 4, "step:" has been replaced with --steps of: a. stringing at least one ornament onto the strand; and, b. --.

Claim 12, line 6, "bores" has been replaced with --bore--.

Claim 16, line 2, "bead" has been replaced with --ornament--.

Claim 16, line 17, "bead" has been replaced with --ornament--.

Claim 16, line 20, "beads" has been replaced with --ornament--.

Claim 16, line 21, "when" has been replaced with --by abutment between the keeper and the band when the keeper and-- and "is" has been replaced with --are--

Claim 29, lines 2, --presenting an elongate axis; an ornament adapted to receive the strand for passage of the strand through the ornament such that the ornament may pass over the elongate axis-- has been inserted in line strand and the semicolon.

Claim 29, line 4, "band" has been replaced with --strand to permanently increase the circumference--.

Claim 29, line 6, "beads" has been replaced with --ornaments-- and "an" has been replaced with --a predetermined-- and "interaction" has been replaced with --abutment--.

Claim 29, line 7, "ornaments" has been replaced with --ornament--.

Claim 30, line 2, "beads" has been replaced with --ornaments--.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

For claim 1, Kanno also discloses a strand jewelry device comprising a strand, a connector assembly, at least one band, at least one ornament and at least one keeper. The connector assembly reversibly couples the first end with the second end of the strand. The band is fixedly attached to the strand. The band presents an outer circumference. The ornament has a through opening. The at least one keeper

reversibly attaches over the band. The keeper is sufficiently large to prevent passage of the ornament across the band when the keeper is attached to the band. The keeper interacts with the band by abutment to restrict movement of the ornament when the ornament resides on the strand. Kanno fails to disclose that the through opening has a circumference greater than the circumference of the band that permits complete passage of the ornament over the band. Accordingly, it would not have been obvious to one having ordinary skill in the art at the time the invention was made to have the through opening has a circumference greater than the circumference of the band that permits complete passage of the ornament over the band but it may not move over band when the band is abutted by the keeper since the keeper has a diameter greater than the ornament hole to prevent the movement of the ornament.

Regarding claim 12, Kanno discloses a process of reversibly restricting the movement of ornaments on a strand where the strand has a connector assembly for detachably coupling the first end with the second end of the strand to configure the strand as a loop, the ornaments have bores and are strung on the strand by their bores and a band is fixed on the strand. The process has the steps of stringing at least one ornament onto the strand and attaching to the band a keeper having an external diameter greater than the diameter of the ornament bore. However, Kanno fails to disclose that the band has an external diameter less than the diameter of the ornament bore. Accordingly, it would not have been obvious to one having ordinary skill in the art at the time of Applicant's invention to have a band with an external diameter being less than the diameter of the ornament bore in combination with a keeper that when

attached to the band restricts the movement of the ornament because the keeper has a diameter greater than the ornament bore.

For claim 16, Kanno also discloses a strand jewelry device comprising a strand, at least one band, a connector assembly, at least one keeper and at least one ornament. The band has variant cross-section with respect to adjacent portions of the strand that are immediately adjacent to the band. The band has a circumference greater than the cross-section of the strand by being fixed circumscribed to the strand. The connector assembly detachably couples the first end with the second end of the strand to configure the strand as a loop. The at least one keeper is selectively placed around the band and has a bore of complementary dimensions to the keeper and is retained in position at the band by abutment when installed on the band. The at least one ornament defines a hole. The keeper has sufficient outer dimension to prevent the ornament from moving across the keeper by abutment between the keeper and the ornament when the keeper and the ornament are installed on the strand. Kanno fails to disclose that the ornament hole has a dimension greater than the circumference of the band. Accordingly, it would not have been obvious to one having ordinary skill in the art at the time the invention was made to have the ornament whose hole is greater than the band in order to be able to move over the band but it may not move over band when the band is abutted by the keeper since the keeper has a diameter greater than the ornament hole to prevent the movement of the ornament.

Regarding claim 29, the strand jewelry device disclosed by Kanno comprises a strand, an ornament, means for selectively configure the strand as a loop, means for

adapting a circumference of the strand and means for keeping the ornaments on a predetermined area of the strand. The means for adapting a circumference of the strand permanently increases the circumference of the strand at a locus while the means for keeping ornaments on a predetermined area of the strand abuts with the means for adapting in order to prevent passage of the ornament over the locus. Kanno fails to disclose that the means for adapting a circumference of the strand that permanently increases the circumference at a locus also permits passage of an ornament over the locus. Therefore, it would not have been obvious to one having ordinary skill in the art at the time of Applicant's invention to have a means to permanently increase the circumference of the band that permits passage of the ornament but prevents passage of the ornament when abutted with means for keeping ornaments since the ornament is not able to pass over the combined means for adapting and means for keeping.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sherman (US 1,510,421), Livingston (US 2,521,589), Kuhn (US 3,983,716), Kanno (US 4,907,322), Yokochi (US 5,398,391), White (US 5,440,900), Sato (US 5,588,190) and Cheng (US 6,357,261) are cited to show state of the art with respect to strand jewelry devices having some of the features being claimed by the current application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C Rodriguez whose telephone number is (571) 272-7070. The examiner can normally be reached on M-F 07:15 - 15:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075.

Submissions of your responses by facsimile transmission are encouraged. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-6640.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ruth C. Rodriguez
Patent Examiner
Art Unit 3677

rcr
September 6, 2005


ROBERT J. SANDY
PRIMARY EXAMINER